

Aubrey E. Strobe, W. Walton Moore, John L. Lee and W. P. Barksdale, counsel for the defense. Mr. Craddock, clerk; Mr. Ballou, deputy clerk; Mr. Sheppard, sheriff; a dozen newspaper writers representing papers from all over the country, including the New York Herald, New York World and New York American, Baltimore Herald, Baltimore Sun, Associated Press, Washington Post, Washington Herald, and the various papers of Virginia, and two stenographers—one employed by the defense and one by the Commonwealth.

The courtroom is probably the best in the State, being large and well-arranged, and lately completed at a cost of nearly \$100,000. Outside of the bar are tiers of seats which accommodate about 250 persons.

There have been a splendid portrait of Judge William Leitch, who presided in this county. On the green gathered a great throng of people, who made their presence known as early as break of day, for no one in the city after sunrise, the noise of new arrivals and the noise of those already in attendance changing the town from a quiet community to a hotbed of contention. Judge Loving and his family, including Miss Elizabeth Loving, were seated in the public dining-room of the Dorsey Hotel, chatting with his friends and counsel. The line is drawn to such a degree that all the Loving forces are domiciled at the Dorsey Hotel, while all the Estes people are stopping at the Collins Hotel. Both hotels are under the same management, but no one from one hotel visits the other. One of the interesting persons attending the trial is Julian Hawthorne, who is writing the trial for a New York paper.

**Gets Jury in Hurry.**  
After a short delay, occasioned by the various attorneys being introduced to the court, the venire was called. Judge Barksdale then inquired if counsel were ready for trial. "We are ready," replied Mr. Bouldin, for prosecution. Mr. Strobe announced that if the witnesses for the defense were present the defense would proceed. A list of the witnesses was called, and Mr. Strobe said, "We are ready."

W. M. Royster was the first of the venire called. He said he had read nothing of the case, and could give the prisoner a fair trial. He was not opposed to capital punishment. He was accepted as No. 1.

S. A. Moorefield said he could give the prisoner a fair trial; that he was not prejudiced by any story that he had connected with either Judge Loving or Mr. Estes, and had read nothing of the case. He was accepted as No. 2.

W. B. Powell said he had discussed the case, and expressed an opinion. He said, "I don't know anything about it." He said he could give the prisoner a fair trial, and that he was not opposed to capital punishment.

To questions by Mr. Bouldin, he said he had discussed the case several times, and had no impression. He said he had no opinion, and that he was not prejudiced by any story that he had connected with either Judge Loving or Mr. Estes, and had read nothing of the case. He was accepted as No. 3.

Mr. R. E. Motley said he had formed an opinion, and had made up his mind. He was excused.

J. H. Meeler said he had expressed an opinion, and could not give a fair trial. He was excused.

J. P. McDowell said he had expressed an opinion, and that his mind was made up. He said he could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 4.

W. T. Arendall said he had not formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 5.

G. C. Jackson said he had not formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 6.

Mr. Jackson was accepted No. 5. C. D. S. Farmer said he had neither formed an opinion, and could give the prisoner a fair trial. He was accepted as No. 7.

W. G. Puckett said he had no opinion regarding the case, and could give the prisoner a fair trial. He was accepted as No. 8.

Mr. Puckett became juror No. 7. Opposed to Capital Punishment. John L. Anderson answered the usual questions, until he was asked if he was opposed to capital punishment. He said he was. "Stand aside," said Judge Barksdale.

R. L. Vassar answered the usual questions to the satisfaction of the court and the counsel for both sides. Mr. Vassar became juror No. 8.

W. H. Wooley said he had formed an opinion, which could not be changed. He stood aside.

W. T. Onks said he was very decided in his opinion, which could not be changed. He stood aside.

John W. Blount said he had formed an opinion, and expressed an opinion from reading The Times-Dispatch, but he thought he could give the prisoner a fair trial, and that it would require evidence to remove the impression made on his mind. He finally said he would not accept the law as laid down by the jury. He was excused.

Samuel C. Hubbard said he had formed an opinion, and expressed an opinion of such a nature that he could not give the prisoner a fair trial. He stood aside.

B. L. Compton said he could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 9.

Mr. Compton became juror No. 9. E. W. Kent said he had formed and

"Berry's for clothes."



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MEN'S & BOYS' OUTFITTERS

expressed an opinion, but that his mind was made up from what he had read in the newspapers. He said he could give the prisoner a fair trial, and that he was not prejudiced by any story that he had connected with either Judge Loving or Mr. Estes, and had read nothing of the case. He was accepted as No. 10.

J. L. Hardy said he had not formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 11.

B. W. Granger said he had formed an opinion regarding the guilt of the prisoner, and that he did not feel he ought to sit in the case. He stood aside.

H. S. Crenshaw said to some extent he had formed an opinion regarding the guilt of the prisoner. He had gotten his information from the papers. He said he could give the prisoner a fair trial, and answered all the formal questions to the satisfaction of the court.

Mr. Crenshaw became juror No. 11. C. S. Tule said he had not expressed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 12.

Under the statute he was excused. B. S. McCraw said he had not formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 13.

Mr. McCraw became juror No. 12. J. M. Johnson said he had heard the case discussed, but had not formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 13.

Mr. Johnson became juror No. 13. Had to Cut His Crop. John T. Quarles claimed his right to be excused under the statute to cut his crop. He was told to stand aside.

J. H. Sneed said he had not formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 14.

W. H. D. Sneed said he had not formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 15.

Mr. D. Sneed said he had not formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 16.

Mr. Brooks said he had formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 17.

Mr. Brooks said he had formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 18.

It was discovered that Mr. Compton had not been properly summoned, his name not having been drawn for the venire, but another of nearly the same name had been called to stand aside.

R. L. Sear said he had expressed an opinion, and that he had discussed the case often. He had scruples against inflicting the death penalty. He was told to stand aside.

George T. Carter said he had not formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 19.

Mr. Carter became juror No. 19. Samuel C. Hubbard said he had formed an opinion, and expressed an opinion of such a nature that he could not give the prisoner a fair trial. He stood aside.

B. L. Compton said he could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 20.

Mr. Compton became juror No. 20. E. W. Kent said he had formed and



**MISS ELIZABETH LOVING.**  
This cut was made from a print which appeared yesterday in the Baltimore American, that paper having considerably enlarged a photograph of Miss Loving which appeared in a group.

he would follow the law as expounded by the court.

**Jury Completed.**  
Mr. Lacy became juror No. 8 in place of Mr. Vassar. The list of the jury was then read as follows:

1. W. M. Royster, farmer; fifty-one; married.  
2. S. A. Moorefield, builder.  
3. W. B. Powell, farmer; forty-six; married.

4. W. T. Arendall, farmer; fifty-six; single.  
5. G. C. Jackson, farmer; fifty-seven; married.  
6. C. D. S. Farmer, farmer; forty-six; married.

7. W. G. Puckett, farmer; forty-six; married.  
8. J. L. Hardy, farmer; forty-six; married.  
9. H. S. Crenshaw, merchant and farmer.

10. B. S. McCraw, merchant; forty-six; married.  
11. J. M. Johnson, farmer and deputy-treasurer; thirty-six; single.  
12. J. H. Sneed, farmer; forty-five; married.

13. W. H. D. Sneed, farmer; forty-three; married.  
14. C. H. Manning, farmer; forty-three; married.  
15. George T. Carter, farmer; fifty-six; married.

16. W. J. Lacy, farmer; thirty-two; single.  
Of the sixteen veniremen selected, fourteen are farmers, one is a builder and one a merchant. It only required one hour and thirty minutes to select the sixteen men. At 11:30 o'clock, counsel asked to be allowed to retire to examine the jury list, and Judge Barksdale left the bench until 11:50. He answered all formal questions.

Mr. Johnson became juror No. 13. Had to Cut His Crop. John T. Quarles claimed his right to be excused under the statute to cut his crop. He was told to stand aside.

J. H. Sneed said he had not formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 14.

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Mr. D. Sneed said he had not formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 16.

Mr. Brooks said he had formed an opinion, and could give the prisoner a fair trial, and that he was not opposed to capital punishment. He was accepted as No. 17.

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It was discovered that Mr. Compton had not been properly summoned, his name not having been drawn for the venire, but another of nearly the same name had been called to stand aside.

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Mr. Compton became juror No. 20. E. W. Kent said he had formed and

fell down. Then Mr. Estes said: "Help me, help me." I called Nick Reed, and we went to him.

Foster testified that Estes was in the south end of the car, about midway between the two doors, and that he made no movement when he heard Judge Loving.

Nick Reed, who was in the wagon, called attention to the fact that Judge Loving was coming down the road with a gun under his arm.

Mr. Lee, on cross-examination, caught Foster in one of his important statements, which went to show that Estes could have escaped from the car. It turned out that Estes could not have escaped had he wished to do so.

Nick Reed, a negro, was the next witness called. He testified that he was standing in a wagon against the freight car when Judge Loving shot Estes, and that he witnessed the deed. Judge Loving walked up and said: "Get up, you son of a bitch!"

Then Mr. Estes said: "No, no, Judge," and Judge Loving shot again and walked away.

**Picked Up Empty Shells.**  
Then Mr. Estes called out and said, "Help me, and Fayette and I went to the empty shells which Judge Loving called 'Lift me up.' I said: 'We can't help him, and I went out and called Mr. McGinnis. The defense did not cross-examine.

Russell C. Brown, a small white boy, eleven years of age, testified that he was at the car when Estes was killed, and that he saw Judge Loving firing the shots at Estes. He said the young man who was in the car was a 'buggy rider' and that he shot him. He saw Estes' dead body five minutes after the firing, and he picked up the empty shells which Judge Loving threw out of his gun. Russell was not cross-examined by the defense.

L. W. Wood testified that he worked at the post-office at Shipman's, and that he saw the body of Estes just before he died. He was about twenty paces away when the shooting occurred, and he heard the firing, and then he ran to the car, reaching there about two minutes after the shooting and about a minute before he died. He said he saw Judge Loving at the lively stable about five minutes later, and asked him if he had seen the body of Estes. Judge Loving replied that the authorities would take charge of the body. He described the position of the body. The defense did not cross-examine.

**Did Not Conceal Gun.**  
William Powers, colored, said he was at McGinnis' livery stable at Oakridge, which is the same as Shipman's, on the day Judge Loving was killed. He said he saw Judge Loving and that he saw him fire the shot which killed Estes. He said he saw Judge Loving and that he saw him fire the shot which killed Estes. He said he saw Judge Loving and that he saw him fire the shot which killed Estes.

On cross-examination, it was brought out that Judge Loving made no attempt to conceal his gun. The witness then stood aside.

Julia Hubbard, an old colored woman, was next called. She testified that she saw Judge Loving in Lovington on the day Estes was killed. He said Judge Loving was in the car, and that he saw him fire the shot which killed Estes. He said he saw Judge Loving and that he saw him fire the shot which killed Estes.

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was killed. "One moment, gentlemen," exclaimed Mr. Lee, for the defense. "What purpose are you showing these clothes? If it is to show the position of the wounds, we do not object, but if you have another purpose, I want you to be frank and say so." Mr. Bouldin did not answer, but Mr. Harmon replied that he considered it proper. The clothes covered with blood, were displayed to the jury. Judge Loving looked on sternly. "The point made by Mr. Lee was that the clothes were shown to make an impression on the jury. The defense did not object."

T. B. Perkins, of Birmingham, Nelson county, justice of the peace, testified that he held the inquest as acting coroner over the body of Estes, and that later he conducted a preliminary examination of Judge Loving.

He said that he met Judge Loving with Mr. McGinnis near his (Testis) home, and Judge Loving said: "I surrender to you and place myself in your hands." That Judge Loving said he did not want to go back and confront the Estes family. He (witness) left him with Mr. McGinnis, and that the most Judge Loving followed witness to Shipman (Oakridge), Judge Loving made no statement except to say he "surrendered."

**Judge Loving's Statement.**  
At the hearing of Judge Loving, he voluntarily made a statement, in which he said: "One near and dear to me was driving in a buggy on Monday, June 24, at 10 o'clock, and I sent for her, and when I got that from her own lips my blood boiled, and every fibre of my nature was moved, and I deliberately sought the life of the man who had wronged me. Nothing could have stopped me. Not even God Almighty himself." He said that Judge Loving was calm and cool, except when he got on the point of his having been wronged, and spoke of his daughter. He raised his hands, and his voice was loud when he spoke of his daughter. There were eight or ten people present when Judge Loving made the voluntarily statement. Mr. Barksdale stood aside without cross-examination.

J. A. Wood, of Oakridge Station, stated that he is a constable. He said he was present when Judge Loving made his statement to Justice Perkins, and repeated that statement, which was with a view to the account given by Justice Perkins.

Mr. Wood said that he took possession of the gun, four loaded shells and two empty shells. The gun and shells were then produced and showed to the jury. The gun is a small hammerless, double-barrel shotgun. On cross-examination by Mr. Lee, Mr. Wood said that Judge Loving's exact words were not taken down, but that he remembered the exact words.

"Was not the impression left on your mind by what Judge Loving said that night that he killed young Estes because he had made an assault and had ruined her?" asked Mr. Lee. Mr. Bouldin objected. Judge Barksdale allowed the question to be put. Mr. Wood answered, "That was the impression made on my mind."

**Judge Loving Testifies.**  
Mr. Bouldin here said: "We rest the case for the prosecution." Judge Loving was then called. He said he was born in Amherst county, where he lived until 1885. He attended the various local schools at Kenmore High School and the University of Virginia. In 1888 he married Miss Sneed, of Nelson county, and in 1888 he was elected judge of Nelson county. He is now living at Oakridge, and is supported by the salary of Mr. Thomas F. Ryan in Nelson county. He said that he had two children, Elizabeth, born in 1887, the eldest, and one son. He said his daughter was everything to him. Witness said that on Sunday, April twenty-first, his daughter Elizabeth, went to Lovington with his brother-in-law, Mr. Sneed. He said that Mr. Sneed returned that night, but that his daughter did not return, for she had said that she would spend the night with her schoolmate, Miss Kidd, of Lovington.

Mr. Sneed, after breakfast the next morning, (Monday) came into witness' study, and with much embarrassment, said that he felt it his duty to tell him about the way Estes had treated Miss Loving. At this point, Mr. Bouldin and Mr. Harmon objected to Judge Loving repeating a conversation held with his brother-in-law, Mr. Sneed. The jury was sent out, and Mr. Lee outlined what the witness desired to testify. He said that Mr. Sneed had seen Miss Elizabeth Loving in an insensible and drunken condition, and that he and his friends thought it was necessary for Judge Loving to know how Estes had treated her.

"What testimony do you desire to show by such testimony?" asked Mr. Harmon. "Your question answers itself," replied Mr. Lee. "We desire to show the provocation for the act."

"Then you mean to reduce the grade of the offense to manslaughter," inquired Mr. Harmon. "Yes, certainly to manslaughter," he took that position, and now by later we will go further."

Mr. Harmon argued that Judge Loving was not sane, and that he was not sane at the time of the killing. He said that Judge Loving was not sane at the time of the killing, and that he was not sane at the time of the killing.

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find easy lodgment in the pores of the skin—but do not come out as easily as they go in.  
That is why blackheads and dusky tones to the complexion often persist despite the most thorough washing with ordinary soap and water.  
What is required to meet this condition is an extraordinary soap—and that is

**Pond's Extract Soap**  
It is the finest and purest of toilet soap, plus genuine Pond's Extract. The two form a substance distinctly new and good.  
Its cleansing, soothing, stimulating, penetrating properties open wide the pores, remove all the clogging impurities, quicken the underlying nerves and blood vessels, and draw upon the rich food oils which nourish every thread and tissue of the skin, leaving it cream-white, wholesome, soft-as-satin and aglow with health.

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Makers of Fine Toilet Soaps. Sole Licensees from Pond's Extract Co.

is guaranteed under Pure Foods and Drugs Act, June 30, 1906—as pure as its cream-white color indicates. The name appears on cake and container. Ask your druggist.

ing's testimony should not be admitted unless the authorities could show that the "act" must be personally known to the person committing the deed, and that information received from others does not come within the meaning of the law.

He said in order to escape the charge of murder, the person committing the killing must see the "act" and not merely believe it. When a crime has been committed it is against the law of the land to allow a man to avenge it, making himself judge, jury and executioner, exclaimed Mr. Harmon. Mr. Walton Moore replied, saying that Mr. Harmon had cited English cases, and some American, but that the great majority of the American cases do not agree with the English cases. The question was argued at great length at this point. Mr. Bouldin asked the court to adjourn until tomorrow morning, the hour of 5:30 having arrived. The question will be further argued in the morning, and Judge Barksdale will pass upon it. The jury was called in. The court warned the jurymen not to discuss the case or read the newspapers, and the first day's session came to an end.

**Alleged Thief Captured.**  
James O. Patterson was arrested last night on the charge of stealing from the R. A. Patterson Tobacco Company. He will be heard this morning.

**Amusements.**  
**ACADEMY—This Week**  
Matinee, Wednesday and Saturday. Last Eight Times of PERCY HANWELL and the George Fawcett Company in the Funny Farce **NIOBE**  
**BIJOU—All Week**  
Mats. Tuesday, Thursday and Saturday. The Captivating, Mirth-Provoking **My Wife's Family**  
A Merry Musical Mix-Up. **IDLEWOOD**  
Free Vaudeville and Moving Pictures Thirty Other Amusements.  
Delmore and Orelia, and Loree Trio. Features of this week's bill. Skating in Rink, 2 to 5. Gate admission, 10 cents.

**The Valentine Museum.**  
TWELFTH AND CLAY STREETS. Open daily from 9 A. M. to 5 P. M. Admission, 25 cents. Free on Saturday.

**Sealed Proposals.**  
Central State Hospital, Petersburg, Va., June